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Attorneys for Defendants



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

HAIPING SU,
Plaintiff,
v.
NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION, an Agency
of the United States; CHRISTOPHER
SCOLESE, in his official capacity as Acting
Administrator of NASA; SIMON PETER
WORDEN, in his official capacity as
Director of NASA Ames Research Center;
ROBERT DOLCI, in an individual capacity
and in his official capacity as Installation
Security Chief at NASA Ames;
REGINALD WADDELL, in an individual
capacity and in his official capacity at
NASA; FEDERAL BUREAU OF
INVESTIGATION; ROBERT SWAN
MUELLER III, in his official capacity as
Director of the Federal Bureau of
Investigation; SHERMAN KWOK, in an
individual capacity and in his official
capacity as an FBI Agent; TOM ROSS, in
an individual capacity and in his official
capacity at the FBI; and DOES -100,

Defendants.

Case No. C09-02838 JW

**STIPULATION RE: 30-DAY
EXTENSION OF TIME
TO ANSWER OR OTHERWISE
RESPOND TO PLAINTIFF'S
COMPLAINT**

1 Pursuant to Civil L. R. 6-1(a), the parties to this action stipulate to extend by thirty days,
2 or until January 29, 2010, the time within which the defendants¹ may answer or otherwise
3 respond to plaintiff's First Amended Complaint. If plaintiff files a Second Amended Complaint
4 by January 15, 2010, the parties stipulate that defendants may have until February 16, 2010 to
5 answer or otherwise respond.

6 Good cause exists for this extension because on December 16, 2009, this Court entered
7 an Order granting in part and denying in part defendants' Motion to Dismiss. In that Order, the
8 Court directed that plaintiff file any amendment to his complaint by January 15, 2010. If plaintiff
9 does not file a Second Amended Complaint, defendants' answer or other response to plaintiff's
10 First Amended Complaint is currently due on December 30, 2009, before plaintiff's amended
11 complaint would be due. It would not be an efficient use of resources for defendants to answer
12 plaintiff's First Amended Complaint and then be required to further respond if plaintiff then filed
13 a Second Amended Complaint. In addition, defendants require this extension because of the
14 Christmas holiday and the vacation schedules of counsel for defendants. Finally, if plaintiff files
15 a Second Amended Complaint, defendants will require the additional time in order to review the
16 legal and factual bases underlying the Second Amended Complaint filed by plaintiff and
17 determine the appropriate response. This change will not alter the date of any event or any
18 deadline already fixed by Court order.

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20 Dated: December 22, 2009
21
22

23 /s/ Vesper Mei _____
24 TONY WEST
25 Assistant Attorney General
26 SUSAN K. RUDÝ
27 Assistant Branch Director
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1 Does 1-100 have not yet been identified or served, and no response is yet due from
them. Accordingly, this stipulation should not be construed to apply to them.

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7 *Attorneys for Defendants*

8 Dated: December 22, 2009

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